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In re Application of : **OFFICE OF PETITIONS**
Mark G. Erlander et al. :
Application No. 10/028,018 : DECISION ON PETITION
Filed: December 21, 2001 : UNDER 37 C.F.R. §1.137(b)
Attorney Docket Number: :
485772004300 :
Title: BREAST CANCER :
PROGRESSION SIGNATURES :
:

This is a decision on the petition filed June 26, 2006, pursuant to 37 C.F.R. §1.137(b)¹, to revive the above-identified application.

The above-identified application became abandoned for failure to submit an Appeal Brief within two months of the filing of the Notice of Appeal on May 13, 2005, pursuant to 37 C.F.R. §1.192. No extensions of time under 37 C.F.R. §1.136 were received. Accordingly, the above-identified application became abandoned on July 14, 2005.

With the present petition, Petitioner has indicated that a continuation of the present application was filed on June 26,

¹ A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

1. The reply required to the outstanding Office action or notice, unless previously filed;
2. The petition fee as set forth in § 1.17(m);
3. A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
4. Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

2006. It is noted that this filing has been assigned an application number of 11/426,572.

As such, the present petition under 37 C.F.R. §1.137(b) is GRANTED.

Since this application is being revived for purposes of continuity only and since continuity has been established by this decision reviving the application, the application is again abandoned in favor of continuing application number 11/426,572.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225². All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanoski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

2 Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).